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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/216,489	12/18/1998	MANNAN A. MOHAMMED	INTL-0071-US	9624

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EXAMINER

MISLEH, JUSTIN P

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/216,489

Applicant(s)

MOHAMMED ET AL.

Examiner

Justin P Misleh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 - 12 and 14 - 28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 12 and 14 - 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on amended on 24 January 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1 – 28 have been considered but are moot in view of the new ground(s) of rejection. Based upon the applicant's arguments, an updated search was performed and a new ground of rejection was made on claims 1 – 28. In view of the new ground of rejection on the unamended claims, this action non-final.

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Blackshear.
4. For claims 1, 6, 10, and 14, Blackshear discloses, as shown in figures 2, 3, 7, and 9 and as stated in columns 4 (lines 63 – 65), 5 (lines 27 – 35), 6 (lines 6 – 22 and 49 – 56), 8 (lines 5 – 12), 9 (lines 26 – 31), and 10 (lines 14 – 32), a method comprising: using a processor to generate a first set of commands for an imaging device during a first time interval, the first set of

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commands being associated with a first task to be performed by the imaging device; using the processor to generate a second set of commands for the imaging device during a second time interval that overlaps the first time interval, the second set of commands being associated with a second task to be performed by the imaging device; transmitting the first set of commands to the imaging device during a third time interval; and transmitting the second set of commands to the imaging device during a fourth time interval that does not overlap the third time interval.

Blackshear teaches a method in which a digital camera is automatically or manually controlled by a computer and control circuit (inherently containing a processor). The digital camera surveillance system of Blackshear teaches that the camera, operating off of commands transmitted from the processor, is automatically controlled to move and capture different fields of view until the automatic camera operation is interrupted by manual control of the camera. Therefore, the processor, during continuous automatic camera operation, generates a first set of commands to control the camera during a first time interval; the first time interval lasting for the duration of the automatic camera operation. Then in a second time interval, that overlaps the first time interval, the processor is interrupted from automatic camera operation and begins to control the camera through manual camera operation. At the transition between automatic control and manual control of the camera, the processor is continues to transmit the first set of commands (those associated with automatic camera operation) until full manual operation takes over. Therefore, the first set of commands are transmitted during a third time interval and similarly that once manual control is in effect its respective commands are transmitted to the camera in a fourth time interval that does not overlap the third time interval.

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5. As for claim 2, Blackshear discloses, as stated in column 8 (lines 31 – 39), wherein the act of transmitting the first set of commands includes packaging the first set of commands together to form a command packet. Blackshear teaches that the first set of commands is packaged together into a target-vectoring file.

6. As for claims 3, 9, 11, and 26, Blackshear discloses, as shown in figure 3, wherein the imaging device comprises a camera.

7. As for claims 4, 7, 12, and 15, Blackshear discloses, as stated in column 8 (lines 5 – 12), wherein one of the first and second tasks comprises setup of the imaging device to capture a video image and capture of the video image.

8. As for claims 5, 8, and 16, Blackshear discloses, as stated in column 8 (lines 5 – 12), wherein one of the first and second tasks comprises setup of the imaging device to capture a still image and capture of the still image. Since video is a series of still frames in a sequence, it is inherent that while the camera is setting up and capturing video it is also setting up and capturing still images. Upon playback of captured video, a simple pause operation would display at least one of the several still images captured to produce the video.

9. As for claims 17, 22, and 25, Blackshear discloses, as shown in figures 2, 3, 7, and 9 and as stated in columns 4 (lines 63 – 65), 5 (lines 27 – 35), 6 (lines 6 – 22 and 49 – 56), 8 (lines 5 – 12), 9 (lines 26 – 31), and 10 (lines 14 – 32), a method comprising: using a processor to setup and capture a first frame, including transmitting a first set of commands, using the processor to setup and capture a second frame, including transmitting a second set of commands, and preventing the transmission of the first set of commands from being interleaved with the transmission of the second set of commands. Blackshear teaches a method in which a digital

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camera is automatically or manually controlled by a computer and control circuit (inherently containing a processor). The digital camera surveillance system of Blackshear teaches that the camera, operating off of commands transmitted from the processor, is automatically controlled to move and capture different fields of view until the automatic camera operation is interrupted by manual control of the camera. Therefore, the processor, during continuous automatic camera operation, generates a first set of commands to control the camera during a first time interval with the first time interval lasting for the duration of the automatic camera operation. Then in a second time interval, that overlaps the first time interval, the processor is interrupted from automatic camera operation and begins to control the camera through manual camera operation. At the transition between automatic control and manual control of the camera, the processor is continues to transmit the first set of commands (those associated with automatic camera operation) until full manual operation takes over. Therefore, the first set of commands are transmitted during a third time interval and similarly that once manual control is in effect its respective commands are transmitted to the camera in a fourth time interval that does not overlap the third time interval. Since video is a series of still frames in a sequence, in is inherent that while the camera is setting up and capturing video it is also setting up and capturing still images. Upon playback of captured video, a simple pause operation would display at least one of the several still images captured to produce the video. Blackshear also discloses that the first set of commands are packaged into a file before transmission to the camera and then the manual commands are generated and transmitted to the camera. Blackshear teaches of packaging command sets and it is impossible for one package to interleave with the next and therefore,

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preventing the transmission of the first set of commands from being interleaved with the transmission of the second set of commands.

10. As for claims 18, 23, and 27, Blackshear discloses, as stated in column 8 (lines 31 – 39), wherein the act of preventing includes packaging one of the first and second sets of commands together to form a command packet.

11. As for claims 19, 24, and 28, Blackshear discloses, as shown in figures 2, 3, 7, and 9 and as stated in columns 4 (lines 63 – 65), 5 (lines 27 – 35), 6 (lines 6 – 22 and 49 – 56), 8 (lines 5 – 12 and 31 – 39), 9 (lines 26 – 31), and 10 (lines 14 – 32), wherein the packaging comprises accumulating the first set of commands as the commands for the first set are being generated; and accumulating the second set of commands concurrently with the accumulation of the first set of commands as the commands for the second set are being generated. Please see above rejection of claims 17 and 18 for the details as to how Blackshear teaches of concurrent command set generation and packaging.

12. As for claims 20 and 21, Blackshear discloses, as shown in figures 3 and 7 and as stated in column 8 (lines 5 – 12), wherein one of the acts of accumulating the first and second sets of commands comprises executing an application program also wherein one of the acts of accumulating the first and second sets of commands comprises executing a driver program.

Blackshear teaches a camera control system in which a computer operating off of pre-programmed modes of operation either instructs the camera to capture video automatically or manually. According to Blackshear, figure 7 is a functional flowchart illustrating a preferred programmed method of generating the first set of commands. Because the computer is

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programmed according to the flowchart in figure 7, it is inherent that the computer operates off of an application program and/or a driver program.



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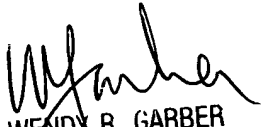
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin P Misleh whose telephone number is 703.305.8090. The examiner can normally be reached on Monday - Friday, 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on 703.305.4929. The fax phone numbers for the organization where this application or proceeding is assigned are 703.872.9314 for regular communications and 703.872.9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703.306.0377.

JPM

March 28, 2003

  
WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
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